SB 483
.W65 A5
1916
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UNICIPAL CODE

OF

WILMETTE PARK DISTRICT

1916.

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MUNICIPAL CODE

OF

Wilmette Park District, Ill.

Revised and codified by George W. Hess
Attorney for the District

Published by authority of the

BOARD OF COMMISSIONERS OF WILMETTE PARK DISTRICT

Also
The Park District Act of 1895 and other laws relating to Park Districts

1916

SB485
.W65A5
1916

WILMETTE PARK DISTRICT

BOARD OF COMMISSIONERS

Louis K. Gillson.....Term expires 1917
706 Forest Avenue. Phone 25.

Floyd L. Bateman.....Term expires 1918
735 Michigan Avenue. Phone 1259.

William D. Matthews.....Term expires 1919
1521 Lake Avenue. Phone 828-J.

Major E. J. Vattmann.....Term expires 1920
1733 Lake Avenue. Phone 1183.

Horace G. Drury.....Term expires 1921
622 Central Avenue. Phone 41.

OFFICERS

Louis K. Gillson.....President

H. W. Hopp.....Secretary
225 Linden Avenue. Phone 1404.

F. J. Scheidenhelm.....Treasurer
804 Forest Avenue. Phone 14.

George W. Hess.....Attorney
832 Forest Avenue. Phone 57.

B. E. Gage.....Supervising Engineer

W. D. Matthews.....Supt. of Police *ex-officio*

COMMITTEES

Finance

H. G. Drury F. L. Bateman

Park

F. L. Bateman W. D. Matthews

Judiciary

Major E. J. Vattmann W. D. Matthews

Police

W. D. Matthews F. L. Bateman

The Wilmette Park District includes all of the Village of Wilmette, together with the tract of land lying North of the Village Limits and East of Tenth St. and the tract bounded on the South and East by the Village Limits, on the West by the C. & N. W. R. R. and on the North by Kenilworth.

The District is a Municipal Corporation and was organized in accordance with the provisions of an Act of the Legislature of Illinois entitled "An Act to Provide for the Organization of Park Districts and the Transfer of Submerged Lands to those Bordering on Navigable Bodies of Water," approved June 24, 1895, in force July 1, 1895, and amendments thereto.

The Election at which the organization was adopted and the First Board of Commissioners elected was held January 14, 1908, and the declaration of the result thereof was made by an order of the County Court of Cook County, entered January 17, 1908. The first meeting of the Board of Commissioners was held February 17, 1908.

The Wilmette Park District has under its control three Public Parks, as follows:

1. The Park lying East of Michigan Ave. and extending from the North line of Lake Ave. to a point about 75 feet North of Forest Ave.

2. The Park at the entrance to the Harbor of the Sanitary District of Chicago extending East from Sheridan Road and Michigan Ave. and Northward to a line 82 feet North of Washington Ave. Containing about 25 acres.

3. The Park at Lake Ave., 15th St. and Park Ave.

The Park District also has control of the

triangular piece of land bounded by Lake Ave., 11th St. and Wilmette Ave., and the triangular tract at the junction of Michigan Ave. and Sheridan Road just North of the bridge, and also land on both sides of the channel as far South as Linden Ave.

AN ORDINANCE CONCERNING THE PRINTING AND PUBLISHING OF THE MUNICIPAL CODE OF THE WILMETTE PARK DISTRICT.

BE IT ORDAINED by the Board of Commissioners of WILMETTE PARK DISTRICT:

§1. That the Ordinances governing the WILMETTE PARK DISTRICT, as revised and codified by George W. Hess, be and the same are hereby adopted and ordered printed and published by authority of the Board of Commissioners of WILMETTE PARK DISTRICT in book form, to be entitled and known as "The Municipal Code of the Wilmette Park District."

§2. This Ordinance shall be in force from and after its passage.

COUNTY OF COOK }
STATE OF ILLINOIS } ss.

I, Harry W. Hopp, Secretary of WILMETTE PARK DISTRICT, do hereby certify that the foregoing is a true and correct copy of an Ordinance concerning the printing and publishing of the Municipal Code of the Wilmette Park District, adopted and passed by the Board of Commissioners of the WILMETTE PARK DISTRICT, on the ninth day of October, 1916; also that said Ordinance so adopted was filed by me in the office of the Secretary of the WILMETTE PARK DISTRICT on the ninth day of October, 1916,

all of which appears by the files, papers and records of the District.

I further certify that I am the keeper of the records, papers and ordinances of said WILMETTE PARK DISTRICT.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Corporate Seal of said WILMETTE PARK DISTRICT, this ninth day of October, 1916.

Harry W. Hopp,
Secretary Wilmette Park District.

(Seal of Wilmette Park District)

Published and issued in book form on the Twenty-fifth day of October, 1916.

MUNICIPAL CODE

OF THE

WILMETTE PARK DISTRICT

An Ordinance revising, consolidating, and codifying the General Ordinances of the Wilmette Park District.

Be it ordained by the Board of Commissioners of Wilmette Park District, as follows:

CHAPTER I.

Executive Department

§1. **Fiscal Year.** The fiscal year of the Wilmette Park District shall commence on the first day of April and end on the 31st day of March next thereafter.

§2. **Meetings of Board.** The regular meetings of the Board shall be held on the second Monday of each month. The first regular meeting in April shall be considered the annual meeting.

§3. **Special Meetings.** Special meetings may be called by the President whenever he shall deem it necessary, and in case of his absence from the District, by any two commissioners. All business of whatever nature or description may be taken up and disposed of at special meetings. Written or printed notices shall be given by the Secretary by mail to each commissioner, of the time and place of each special meeting, but such notice need not contain the subject matter of the meeting.

§4. **Quorum.** A majority of the commissioners shall constitute a quorum for the transaction of business.

§5. **Secretary and Treasurer Appointed Annually.** The Secretary and Treasurer shall be appointed at the regular annual meeting and shall hold office, unless sooner removed, for the term of one year, and until their successors are appointed and qualified.

§6. **Duties of Secretary.** The Secretary shall keep the corporate seal and affix the same to all papers which require it. He shall keep all records and documents belonging to the District, give notice of and attend all meetings

of the Board and keep a full record of the proceedings in the journal. He shall also perform such other duties as may be required of him by law, or by the ordinances or resolutions of the Board.

§7. **Ordinances to be Recorded.** All ordinances passed by the Board shall be recorded by the Secretary in a book to be kept for that purpose, and if any ordinances require publication, he shall cause the same to be duly published.

§8. **Yeas and Nays.** The "yeas" and "nays" shall be taken upon the passage of all ordinances and upon all propositions to create any liability or for the expenditure or appropriation of money, and in all cases at the request of any commissioner, which shall be entered upon the journal of the proceedings.

§9. **Duties of Treasurer.** The Treasurer shall receive all the moneys belonging to the District and shall pay the same out only upon warrants signed by the President and countersigned by the Secretary in form to be approved by the Board. He shall submit to the annual meeting a detailed report showing the receipts and disbursements of money during the preceding year. Before entering upon his duties he shall give a bond in such amount, and upon such conditions, as the commissioners may deem necessary.

§10. **Attorney.** There shall be appointed at the annual meeting an Attorney, who shall have charge of all litigation to which the commissioners, or the District, shall be a party, and shall draft all instruments required by the Board, and give opinions on all questions referred to him by the Commissioners.

§11. **Supervising Engineer.** There shall be appointed at the annual meeting a Supervising Engineer, who shall be the executive officer in charge of all the properties, real and personal, belonging to the District and used in connection with the parks, or any of them, and the waters over which the District has jurisdiction, and he shall make such rules and regulations, not inconsistent with the laws of the State or the ordinances of the District, as he may deem necessary, for the use of the parks by the public and the management thereof by the employes of the District, which rules and regulations shall be reported to the Board, and shall be and continue in force from the time of the making thereof by him until altered or repealed by himself or the Board. He shall appoint such assistants and employees as the Board may authorize, and prescribe their duties, and he shall have power to remove or suspend such assistants and employees as he shall appoint.

§12. **Committees.** A Finance Committee, a Judiciary Committee, a Committee on Parks and a Committee on Police shall be appointed by the President, with the approval of the Board, at each annual meeting, whose duties shall be such as usually pertain to such committees and as shall from time to time be imposed upon them by the Board. The Commissioner first named shall be the Chairman of the Committee. The President, *ex-officio,* shall be a member of all Committees.

§13. **Officer May be Removed.** Any officer appointed may be suspended or removed by the Commissioners, and all vacancies shall be filled by them.

§14. **Salaries of Officers.** The salaries of all officers shall be fixed at the regular annual meeting in April, and shall be payable semi-annually.

§15. **Bonds of Officers.** Before entering upon their respective duties, all officers appointed by the Board, including all policemen, may be required to give bonds in such amounts as the Board may determine, conditioned upon the faithful performance of the duties of their respective offices.

§16. **Corporate Seal.** The Seal heretofore provided and used by the District, the impression of which is 1⅝ inches in diameter with "Wilmette Park District, Organized 1908" between concentric rings upon the margin and the words "Corporate Seal" within the inner circle, shall be and hereby is established and declared to have been and now to be the Seal of the Wilmette Park District.

CHAPTER II.

Police Department

§17. **Police Force.** The police force of the District shall be under the immediate control of the Committee on Police, and the Chairman of said Committee shall be ex-officio Superintendent of Police of the District. The said police force shall consist of the Commissioners, the Supervising Engineer, the Secretary, Treasurer, Attorney and such number of policemen, with such rank and title, as shall from time to time be appointed by the Board. All policemen shall be subject to the direction of the Superintendent of Police and each of the Commissioners. The Superintendent of Police or any Commissioner may suspend any

policeman, reporting such action at the next meeting of the Board for its approval.

§18. **Special Policemen.** In case of an emergency the President of the Board or Superintendent of Police may appoint such special policemen as he may consider necessary, who, during the time of their service, shall have the same power and authority as members of the regular force. All such appointments shall be reported to the next meeting of the Board and shall not continue beyond such meeting unless authorized by the Board.

§19. **Duties of Police.** The members of the police force shall be conservators of the peace within and upon the parks, boulevards, driveways, and properties controlled by the Wilmette Park District, and shall have power, and it shall be their duty to make arrests on view of the offense, or upon warrants, for violation of any of the penal ordinances of the District, or for any breach of the peace, and shall take all persons so arrested before some court of competent jurisdiction in the Wilmette Park District. In case no court is in session, the person so arrested may be detained in any police station of the Village of Wilmette, until such person so arrested can be brought before such court.

§20. **Release of Offenders on Bond.** Any member of the police force of said Wilmette Park District, having arrested any person for an alleged violation of any Ordinance of said District, may in his discretion, permit such person to give recognizance with or without surety, to be approved by such police officer in the sum of Two Hundred Dollars, for the appearance of such arrested person before

a justice of the peace or police magistrate, to be named in said recognizance, at a time to be prescribed therein, which recognizance when executed shall be forthwith filed with the proper justice of the peace or police magistrate, and the case properly docketed before said official.

§21. **Pledges for Appearance.** In place of special bail, money or personal property of sufficient value to satisfy the probable judgment or fine and costs, may, in the discretion of the court, or officer making the arrest, be taken; in which case, if taken by the court an endorsement, pledging the property taken for the appearance of the defendant at a certain time and place before a certain police magistrate or justice of the peace, shall be put upon the back of the warrant or complaint and signed by the person under arrest; if taken by the officer making the arrest, the defendant shall sign a pledge in a form to be provided by the Commissioners and upon receiving such property and pledge, the officer making the arrest may permit the person arrested to go free.

§22. **Collection of Judgment.** Upon the trial of any cause in which special bail shall have been given, if the defendant shall be found guilty, judgment shall be rendered against both principal and surety (in the special bail) for the amount of the fine assessed by the court or jury, and all costs that may have accrued. In case personal property or money were pledged in lieu of special bail, and judgment is rendered against the defendant, execution shall issue, and said money be applied in satisfaction thereof, or said property be sold under it. Ex-

emption rights shall be waived by making such pledge of said property.

§23. **Place of Detention.** In case of an arrest the person arrested may be detained in any police station in the Village of Wilmette within the Wilmette Park District, or any safe place, until such person so arrested can be brought before a magistrate or justice of the peace for trial without unnecessary delay.

§24. **Commitment.** In all cases where judgment shall be rendered by the police magistrate, or any justice of the peace, or competent court as aforesaid, in favor of said District against any person or persons convicted of a violation of any of the ordinances of said District, such person or persons so convicted shall be committed to the county jail of Cook County, Illinois, to the House of Correction of the City of Chicago, or any police station of the Village of Wilmette or other place provided for the incarceration of offenders in such cases, and be imprisoned therein for failing, neglecting, or refusing to pay any fines, forfeitures, penalties or costs which may be adjudged against such person or persons, and shall be required to work at such labor as his or her strength will permit within and without said place of imprisonment, not to exceed ten hours each day; and for such work the person so employed, or worked, shall be allowed, exclusive of his or her board, the sum of fifty cents for each day's work on account of such fine, forfeiture, or penalty and costs, until such fine, forfeiture, or penalty and costs be fully satisfied; provided, no such imprisonment shall continue longer than six months for any one offense. And in such case, whether by

satisfaction as aforesaid, or by the expiration of six months from the commencement of such imprisonment, the keeper of said place of imprisonment shall endorse on the writ of commitment, "Satisfied in full by imprisonment" and discharge such person or persons from his custody.

§25. **Collection of Fines.** All fines, forfeitures, penalties and costs imposed against any person or persons by any of the ordinances of said District for the breach thereof, may be recovered before the police magistrate or any justice of the peace of said Cook County, by action of debt in the name of "The Wilmette Park District," and judgments may be rendered thereon and collected by execution or other process, as other judgments of justices of the peace are rendered and collected; and such fines, forfeitures and penalties, when collected, shall be paid over to the treasurer, for the use of said Park District, within five days from the time of the receipt thereof by such police magistrate or justice of the peace and every such police magistrate or justice of the peace shall make a report in writing to the board at the last regular meeting in each fiscal year, showing a record of all fines, forfeitures and penalties by him collected, and no such police magistrate or justice of the peace shall remit any fine, forfeiture or penalty imposed upon any person or persons wherein the said District is a party plaintiff, or in any wise interested, without the written consent of the board.

CHAPTER III.

Penal Regulations.

§26. **Sleeping or Making Fires.** No person shall sleep in any park or on any boulevard. No person shall swing, occupy or use any hammock, or light or make use of any fire, in any park or on any boulevard, except such portions thereof as may be designated by the Commissioners for such purposes and then under such regulations as may be prescribed.

§27. **Distributing or Posting Bills.** No person shall display, distribute, cast, throw or place any placard, hand bill, pamphlet, circular, advertisement or notice in any park or upon any boulevard and no person shall post or affix any placard, hand bill, pamphlet, circular, advertisement or notice on any tree, lamp-post, hydrant, curbstone, coping, flagstone, fence, wall, bridge, bench, building or other construction or property in any park or upon any boulevard.

§28. **Defacing Trees or Other Property.** No person shall cut, break, climb on, or in any way injure or deface any tree, shrub, plant, turf, grass, lamp-post, hydrant, curbstone, coping, flagstone, fence, wall, bridge, bench, building or other construction or property in any park or upon any boulevard.

§29. **Killing Birds or Robbing Nests.** No person shall kill or wound or attempt to kill or wound any bird or animal or molest or rob any nest of any bird or animal in any park or upon any boulevard.

§30. **Begging.** No person shall beg or solicit alms in any park or upon any boulevard and no person who is diseased, maimed, mu-

tilated, or deformed, so as to be an unsightly or disgusting object or an improper person to be allowed in public places, shall expose himself to public view in any park or upon any boulevard.

§31. **Breach of the Peace.** No person shall make, aid, or countenance or assist in making any improper noise, riot, disturbance, breach of the peace, or diversion tending to a breach of the peace, within any park or upon any boulevard or be guilty of any disorderly conduct therein or thereon, or collect, with other persons, in bodies or crowds for unlawful purposes, or for any purpose to the annoyance or disturbance of citizens or travelers.

§32. **Intoxicated Persons.** No intoxicated person shall be allowed in any park or upon any boulevard.

§33. **Obscene Language—Games of Chance.** No person shall use abusive, insulting or obscene language, or language calculated to occasion a breach of the peace, or tell fortunes, play at games of chance or do any indecent act, or manage, use or practice with intent to cheat or defraud another, any game or device whatever, in any park or upon any boulevard.

§34. **Indecent Books or Pictures.** No person shall exhibit, sell or offer to sell, give away or offer to give away, or have in his possession, with or without intent to sell or give away in any park or upon any boulevard, any obscene or indecent book, pamphlet, paper, drawing, lithograph, engraving, picture, daguerreotype, photograph, stereoscopic picture, model, cast, instrument or any article of indecent or immoral use.

§35. **Indecent Acts.** No person shall com-

mit any indecent, lewd or filthy act, or utter any indecent, lewd or filthy words, or use any threatening or obscene language or make any threatening or obscene gestures in any park or upon any boulevard.

§36. **Appearing in State of Nudity.** No person shall appear in a state of nudity or in a dress not belonging to his or her sex or make any indecent exposure of his or her person in any park or upon any boulevard, and no person shall undress in any park, for the purpose of bathing in Lake Michigan, except in such buildings as may be provided for that purpose, and no person shall appear in bathing suits except upon the beach and then only on such portion thereof as may be set apart for that purpose.

§37. **Intoxicating Liquors.** No person shall take or carry into or upon any park any beer, ale, wine, brandy, gin, whiskey or any intoxicating liquor of any description, or shall, within any such park drink or have in his possession any of the drinks or liquors aforesaid.

§38. **Dogs.** The running at large of dogs is hereby prohibited within the parks, or on or along any boulevard, and no owner of any dog shall permit the same to run at large contrary to the provisions of this section. It shall be the duty of all park policemen to take up and impound any dog found so running at large, in the place or places provided for such purposes by the ordinances of the Village of Wilmette; said dog to be dealt with in accordance with the ordinances of said village relating to the impounding of dogs. The word "dog" whenever used in this section, shall mean and intend a female as well as a male dog. A dog shall be considered to be running at large

within the provisions of this section unless held in control by a suitable leash.

§39. **Picnics.** No picnics shall be held in any park without a permit from the Board of Commissioners, or the Chairman of the Park Committee, nor shall any body of persons congregate in such park for the purpose of eating lunch, or serving meals therein, without a like permit.

§40. **Hawking or Peddling.** No person shall sell, or offer or expose for sale, any article or thing in any park or any boulevard or do any hawking, peddling or soliciting therein or thereon, without a permit from the Board of Commissioners.

§41. **Roller Skating.** Roller skating on any of the walks or upon any concrete work in any park is hereby prohibited.

§42. **Carrying Away Sand or Gravel.** No person shall take or carry away sand, gravel or soil from the beach in front of any of the parks of the Wilmette Park District, or from the shore or bed of Lake Michigan, or from any place under the jurisdiction of the Commissioners of the Wilmette Park District, without the permission of the Board. And no person shall dig holes in the sand unless the same are completely filled and re-covered, before leaving the beach.

§43. **Smoke from Automobiles.** No person shall cause or permit any automobile to emit smoke, vapor or offensive odors in any park or upon any boulevard.

§44. **Vehicles.** The term vehicles as used in this ordinance shall include each and every form of sleigh, sled, velocipede, baby carriage, hand cart, carriage, buggy, bicycle, motor

cycle, automobile and each and every machine on wheels used for the conveyance of persons and things, whether such vehicle be operated or propelled by muscular or other power. All vehicles while in motion shall keep to the right. No person shall permit any vehicle to stand in any park or upon any boulevard to the obstruction of the way or inconvenience of travel. No person shall bring or use any vehicle on any boulevard or in any park, except such portions thereof as may be designated by the Commissioners for such purpose. No vehicle designated or intended for carrying goods, wares, merchandise or other articles shall be allowed upon any boulevard or in any park. And no vehicle shall be allowed in any park except upon the driveways, or such places as may be designated by the Commissioners or the officer in charge, for parking purposes.

§45. **Speed of Vehicles.** No automobile, autocar, or other similar vehicle, shall be propelled or driven upon or along any drive in any park or upon any boulevard at a speed exceeding twelve miles per hour, and such vehicle when in motion shall be kept to the right and shall observe the rule of the road as laid down for all other vehicles.

§46. **Firearms.** No person shall fire or discharge any cannon, gun or fowling piece, pistol, sling shot, bow gun, air gun, air pistol or firearms of any description, or fire, explode, or set off any squib, cracker or other thing containing powder or other combustible or explosive material within any park or upon any boulevard; provided, that the president of the Board may, by proclamation, permit the use of fireworks or the discharge of firearms on the

fourth day of July, and on such other day or days as he, in his discretion, may deem proper.

§47. **Resisting Officer.** No person shall resist any member of the police force in the discharge of his duty, or fail or refuse to obey any lawful command of any police officer, or in any way interfere with or hinder or prevent him from discharging his duty, or offer or endeavor so to do, or in any manner assist any person in custody of any policeman to escape, or attempt to escape from such custody, or rescue any person in custody.

§48. **Games and Sports.** No person shall engage in any sport, game, amusement or exercise in any park or upon any boulevard except such portions thereof as may be designated for that purpose by the Commissioners, and then under such rules and regulations as may be prescribed by the Commissioners.

§49. **Concealed Weapons.** No person shall carry or wear under his clothes or concealed about his person, any pistol, revolver, derringer, bowie knife, dirk knife or dirk razor, dagger, slug-shot, metallic knuckles, or other dangerous or deadly weapon, in any park, or upon any boulevard.

§50. **Interfering with Employes.** No person shall interfere with, or in any manner hinder any employe of the Wilmette Park District while engaged in constructing, repairing or caring for any portion of the parks or boulevards.

§51. **Disregarding Signs or Notices.** No person shall go upon any portion of any park or boulevard where, by any sign or notice, persons are prohibited from going. No person shall fish or bathe in the waters of Lake Michigan under the control of said District, except

such portions thereof as may be designated by the Commissioners for such purposes and under such regulations as may be prescribed.

§52. **Rubbish.** No person shall deposit, dump, throw, cast, lay or place any coal, ashes, dust, manure, rubbish, paper, garbage, refuse matter or obstructions of any kind in or upon any part of the waters or grounds of any park or boulevard. No person shall set or place or cause to be set or placed, any goods, wares or merchandise or property of any kind in any park or on any boulevard, to the obstruction of travel on such boulevard or use of such park.

§53. **Rules to Be Obeyed.** No person shall violate or disobey any rule or regulation governing the respective parks and boulevards adopted by the Board of Commissioners or laid down by the officers in charge of the respective parks or boulevards, and posted in some conspicuous place within such parks or upon such boulevards and purporting to be made by said Park Authorities, and no person shall violate or disobey any rule or regulation although the same may not have been posted as aforesaid, after having been notified of the existence and nature of such rule by any policeman or officer of the District, and no person shall violate or disobey the directions contained in any notice relating to the use or government of park property and publicly affixed to or displayed upon any park or boulevard.

§54. **Penalty.** Whoever shall violate any of the provisions of this chapter, where a specific fine has not been provided for, shall, upon conviction thereof, be fined not less than one dollar, nor more than two hundred dollars, for each and every offense.

CHAPTER IV.

Construction of Ordinances.

§55. **Words and Phrases.** The words and phrases following whenever used in any Ordinance shall be construed to be synonymous with any of the other words under the same head whenever it shall be necessary to the proper construction of said Ordinances.

First:—Board: Park Board: Board of Commissioners: Board of Commissioners of Wilmette Park District.

Second:—District: Park District: Wilmette Park District.

Third:—Park: Any Park under the jurisdiction of the Wilmette Park District.

Fourth:—Boulevard: Any Boulevard under the jurisdiction of the Wilmette Park District.

§56. **"Singular" and "Plural" Construed.** Whenever any words in any ordinance importing the plural number shall be used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included, although distributive words may not be used. And, when any subject matter, party or person, shall be referred to in any ordinance by words importing the singular number only, or the masculine gender, several matters, parties or persons, and females as well as males, and bodies corporate shall be deemed to be included: Provided, that these rules of construction shall not be applied to any ordinance which shall contain any express provision excluding such construction, or where the subject matter or context of such ordinance may be repugnant thereto.

§57. **Maximum Fines.** Wherever herein or

in any ordinance heretofore passed or hereafter to be passed a minimum, but no maximum fine or penalty is imposed, the Court may, in its discretion, adjudge the offender or offenders to pay any sum of money not less than the minimum fine or penalty so fixed, and not exceeding the sum of Two Hundred Dollars.

§58. **But One Punishment for Same Offense.** In all cases where the same offense may be punishable, or shall be created by different clauses or sections of the ordinances of the Wilmette Park District, the officer or person prosecuting, may elect under which to proceed, but not more than one recovery or punishment shall be had against the same person for the same offense.

§59. **Penalty Construed.** When in this or any other ordinance the doing of any act or the omission to do any act or duty is declared to be a breach thereof, or unlawful, or prohibited and there shall be no fine or penalty declared for such breach, any person who shall be convicted of any such breach shall be adjudged to pay a fine of not less than One Dollar nor more than Two Hundred Dollars.

§60. **Repeal.** All public or general ordinances, or parts thereof, not included in this ordinance, so far as they contravene or conflict with the provisions of this ordinance, and particularly an Ordinance relating to police regulations and misdemeanors passed on the 26th day of July, 1911, and an Ordinance relating to hawking and peddling and holding picnics, passed on the 7th day of August, 1911, and an Ordinance relating to rules for the Construction of Ordinances passed on the 7th day of August, 1911, and an Ordinance prohibiting the

possession or use of intoxicating liquors passed on the 10th day of July, 1913, are hereby repealed and all ordinances, orders and resolutions heretofore adopted by the Board of Commissioners, not repugnant to or inconsistent with the provisions of this ordinance, shall continue in force and effect the same as if this ordinance had not been adopted, except as hereinbefore provided.

§61. **Known as Municipal Code.** This Ordinance shall be known as the Municipal Code of the Wilmette Park District and shall take effect and be in force from and after its passage and publication as required by law.

Passed by the Board of Commissioners of Wilmette Park District on the Ninth day of October, 1916, and deposited and filed in the office of the Secretary this Ninth day of October, 1916.

HARRY W. HOPP,
Secretary of Wilmette Park District.

Printed and published in book form the Twenty-fifth day of October, 1916.

PARK DISTRICT ACT

AN ACT TO PROVIDE FOR THE ORGANIZATION OF PARK DISTRICTS AND THE TRANSFER OF SUBMERGED LANDS TO THOSE BORDERING ON NAVIGABLE BODIES OF WATER. (APPROVED JUNE 24, 1895. IN FORCE JULY 1, 1895.)

§1. **What May Be Organized into a Park** District. BE IT ENACTED BY THE PEOPLE OF THE STATE OF ILLINOIS, REPRESENTED IN THE GENERAL ASSEMBLY, That any territory situated in the same county or in two adjoining counties under township organization and so lying as to form one connected area, no portion of which shall be already included in a park district or in a township whose corporate authorities are authorized by law to levy special taxes or special assessments to maintain a public park, may be organized into a park district for the establishment, construction and maintenance of public parks and boulevards in the manner following:

§2. **How Park Districts May Be Formed.** Any one hundred legal voters resident within the limits of such proposed park district may petition the county judge of the county in which such territory lies, or if it lies partly in two counties then the petition shall be addressed to the county judges of each of said counties, to cause the question to be submitted to the legal voters of such proposed park district, whether they will organize as a park district under this act; such petition shall clearly define the territory intended to be embraced in such district, and the name of such proposed

district, upon the filing of such petition in the office of the county clerk of the county or counties in which such territory is situated; it shall be the duty of the county judge or county judges if the proposed park district lie partly in two counties, to order an election to be held in such part of such proposed district as lies within his county, and in such order the said county judge or judges, as the case may be, shall fix the time and place or places within the boundaries of such proposed district, at which an election may be held to determine such question and to elect five commissioners to serve as hereinafter provided; and the said judge or judges shall name the persons to act as judges at such election; and shall give twenty days' notice thereof by causing notices to be posted in five public places within such proposed district and by causing said notice to be published in one or more papers, if there be any published in said district.

§3. **Election.** The ballots to be used at such election shall be in the following form:

"For Park District".....
"Against Park District".....
"For Park Commissioners".....
.....
.....
Names .....
.....
.....

The judges at such election shall make return thereof to the county judge of the county in which such election is held, the said judge shall canvass such returns and cause a state-

ment of the result of such election to be entered on the records of the county court.

When the territory proposed to be organized into a park district is situated in more than one township, then, at least one polling-place shall be located in each township or portion thereof included in such territory, and no district shall be organized unless a majority of the votes cast in each township or portion thereof included in such territory are in favor thereof.

§4. **When Proposed District in Two Counties.** When the proposed district lies within two counties the county judges of each of said counties shall cause to be transmitted to the clerk of the county court of the other county in which a part of said proposed district shall lie, a copy of such record, which copy, when so received shall be spread upon the records of the county court receiving the same as the return of the vote cast in said county.

§5. **When Deemed a Park District—Commissioners—Powers.** If the majority of the votes cast in each township in the part of said district in each county where the same lies partly within two different counties, or if the majority of the votes cast in each township in said proposed district where the same lies wholly in one county, shall be in favor of the proposed park district, such proposed park district shall thenceforth be deemed an organized park district under this act; and in that event the five persons who shall have received the highest number of votes for commissioners cast at said election shall be declared the commissioners of said district; and the said district so organized shall have the

name designated and set forth in said petition, and by such name and style the same may sue and be sued, contract and be contracted with, acquire and hold real estate and personal property necessary for corporate purposes and adopt a common seal and alter the same at pleasure, and such district shall constitute in law and equity a body corporate and politic and exercise the powers herein specified. All courts of this State shall take judicial notice of the organization of said park district and of the election of said commissioners.

§6. **Qualification of Commissioners—Not to Be Interested in Contract—Creation of Debt.** Each of the commissioners elected in any park district created under this act shall be a legal voter of and reside within, such district, and where the same includes territory lying within two counties no more than three of them shall be residents of the same county, and they shall receive no compensation as such commissioners. It shall be a misdemeanor for any commissioner to be directly or indirectly in any way pecuniarily interested in any contract or work of any kind whatever connected with said park district. Neither of said commissioners nor any person, whether in the employ of said board or otherwise, shall have power to create any debt, obligation, claim or liability, for or on account of said park district, or the moneys or property of the same, except with the express authority of said board of commissioners, conferred at a meeting thereof and duly recorded in a record of its proceedings.

§7. **Commissioners—Bond—Oath.** Each of said commissioners before entering upon the

duties of his office shall take and subscribe an oath to well and faithfully discharge his duties as such commissioner and shall give a bond in the penal sum of five thousand dollars to such park district to be approved by the county judge of the county in which such commissioner resides, for the faithful discharge of his duty, which oath and bond shall be filed in the office of the clerk of the county in which such commissioner resides.

§8. **Terms of Commissioners.** As soon after such board shall be constituted as aforesaid, the members thereof shall decide by lot at a meeting where all of said members are present as to the respective term for which each shall hold office; the one drawing the longest term shall serve for five years, the one drawing the next longest term shall serve for four years, the one drawing the next longest term shall serve for three years, the one drawing the next longest term shall serve for two years and the one drawing the shortest term shall serve for one year, respectively, from the next annual township election after the organization of the district in which they are elected, or until their successors shall be duly elected and qualified, as hereinafter provided.

§9. **Commissioners When to Be Elected—Election of—Vacancies in Board.** At the second regular township election in April after the board of commissioners has been constituted as aforesaid and annually thereafter, one commissioner shall be elected for the term of five years, or until his successor is elected and qualified, notice of the time and place or places of holding such election shall be given by the commissioners of such park district, by post-

ing written or printed notices in five of the most public places in the district, at least ten days prior to the election, and by publishing the same in one or more newspapers, if there be any published in said district; the election shall be conducted in the same manner and the vote canvassed and the result declared as for township officers.

At least one polling place shall be located in each portion of a township included in any park district and separate ballot boxes shall be used to receive the ballots cast for park commissioners, and separate returns of the votes cast with the ballots thereof shall be made to the president of the board of commissioners as nearly as may be in the manner now provided for making such returns to the town clerk, and said board shall within five days after such election canvass said returns and declare the result of said election and enter a record of such canvass and declaration upon its records: **Provided, however,** that this act shall not be construed as in any manner amending, modifying or repealing any of the provisions of an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885. Nor shall the provisions of this act apply to or affect any city, village or incorporated town that has by vote of the electors thereof adopted the provisions of the act hereinabove mentioned in so far as the provisions of said act are in conflict herewith. But where any district organized under this act or portion thereof shall be located in such city, village or incorporated town the election shall be con-

ducted and the returns thereof made and declared in the same manner as is now provided where a township or portion thereof is located therein, except that any returns to be made to the town clerk or the corporate authorities of the township shall be made instead to the president and the board of commissioners of the district.

Vacancies in the board by reason of removal from the district or otherwise may be filled by appointment by the remaining members of the board; such appointment to continue until a successor for the unexpired term has been elected and qualified; at the first annual township election after such vacancy occurs, a successor for the unexpired term shall be elected.

§10. **Officers of Board.** The board of commissioners shall elect from their number a president, who shall hold his office for one year, or until his successor shall be elected. They shall also appoint a secretary and a treasurer, neither of whom shall be members of the board, prescribe their duties, fix their compensation and term of office and require such bonds as the commissioners deem necessary.

§11. **Powers of Commissioners—Violation of Ordinances—Police.** The commissioners elected in any park district organized under this act shall constitute the corporate authorities of such district and a majority thereof shall constitute a quorum at any meeting thereof. They shall have power to pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of said board and of said corporation

and for carrying into effect the objects for which said park district is formed. They shall have full power to manage and control all the officers and property of said district, and all parks, boulevards and driveways maintained by such park district, or committed to its care and custody. They may by ordinance regulate and restrain the use by the public or by individuals of any or all such parks, boulevards and driveways, and may exclude therefrom funeral processions, hearses, traffic teams and teaming and all objectionable travel and traffic, and may prescribe such fines and penalties for the violation of ordinances as they shall deem proper, not exceeding two hundred dollars for any one offense, which fines and penalties may be recovered by suit in the name of such park district before any justice of the peace in the county in which such violation occurred. The procedure in such suits shall be the same as that provided by law for like suits for the violation of ordinances in cities organized under the general laws of this State, and offenders may be imprisoned for non-payment of fines and costs in the same manner as in such cities. All fines when collected shall be paid into the treasury of such park district. In addition to the officers above mentioned, said board of commissioners may employ such engineers, clerks and other employees, including a police force, as may be required, and may define and prescribe their respective duties and compensation. The park commissioners and all police officers appointed by them shall be conservators of the peace within and upon such parks, boulevards, driveways and property controlled by such park

district, and shall have power to make arrests on view of the offense, or upon warrants for violation of any of the penal ordinances of such park district, or for any breach of the peace, in the same manner as the police in such cities. (As amended by Act approved April 22, 1899. In force July 1, 1899.)

§12. **Board to Keep Records—To Be Open to Inspection.** Said board shall keep a regular book of records of all ordinances or other proceedings of said board, which book of record shall be open to the inspection of any person residing in said district at all reasonable and proper times.

§13. **Ordinances, Etc., to Be Evidence.** All ordinances, orders and resolutions of said board may be proved by the certificate of its secretary under the seal of the corporation; and when printed in book or pamphlet form and purporting to be published by the commissioners, such book or pamphlet shall be received as evidence of the passage of such ordinances, orders and resolutions as of the dates mentioned in such publication in all courts or places without further proof.

§14. **Powers of Park Districts.** Any park district organized under this act shall have power to acquire, lay out, establish, construct and maintain parks and boulevards in said district, and provide boating basins in said parks, and have full power to control, manage and govern the said parks and boulevards and the use thereof. It shall also have power to sprinkle streets lying within its territory, and to take charge of and maintain the parkways upon such streets: Provided, however, that the power to sprinkle streets and take charge

of and maintain the parkways in such streets shall not be exercised by such park district until the question as to whether or not it shall exercise such power shall have been submitted to a vote of the people in such district, and such question shall be so submitted upon petition of fifty (50) owners of property residing in such district. Such petition shall be filed in the county court and when so filed it shall be the duty of the county judge to order an election to be held in such district. In such order the said judge shall fix the time and place or places within such district when such election shall be held, and shall name the persons to act as judges at such election. Twenty (20) days' notice shall be given of such election by the posting of notices in five public places within such district, or by publication in one or more papers, if there be any published in said district. If a majority of the votes cast at such election shall be in favor of the exercise of the power to sprinkle streets and take charge of and maintain the parkways as aforesaid, then the said board shall exercise such power, otherwise it shall not exercise it. (As amended by act approved May 13, 1905. In force July 1, 1905.)

§15. **How and What Land Park District May Acquire.** Said park district shall have power to acquire by gift, grant or purchase, or by condemnation under the act of eminent domain, any and all real estate, lands, riparian estates or rights, and all other property required or needed for any such park or boulevard, or for extending, adorning or maintaining the same, and located within its territory. When condemnation proceedings are had they

shall conform as nearly as practicable to such proceedings by cities and villages as set out in Article 9 of Chapter 24 of the Revised Statutes of Illinois and any amendments thereto. (As amended by Act approved April 22, 1899. In force July 1, 1899.)

§16. **When Park District Borders Upon Navigable Water, Etc.—Power of Board as to Submerged Land, Etc.** When any park district created under this act borders upon any navigable body of water, the title to the bed or submerged land of which is vested in the State of Illinois, said district may take possession of, inclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation and shall have the power to establish, construct and maintain parks and boulevards over and upon the same, and all right, title and interest of the State of Illinois, in and to the bed or submerged land of such body of water, so taken possession of, enclosed, filled in and reclaimed is hereby granted and ceded to such park district and the title thereto shall vest in such park district to be held for the use and benefit of the public as a part of said park district for park and boulevard purposes exclusively, and said district shall have power for the purpose of reclaiming such submerged land and protecting the same thereafter to construct all necessary break-waters, or protection for the building and maintenance of such parks and boulevards, and the enclosing or reclamation of such submerged lands.

Any such submerged lands so enclosed and reclaimed as aforesaid shall forever be held

and maintained for park and boulevard purposes and no portion thereof shall ever be granted or ceded away by any district for any purpose, and in case the same should ever cease to be used for park or boulevard purposes, then the title to the same shall revest in the State of Illinois, together with all the improvements thereon and the appurtenances thereof.

§17. **When District May Pay Damages.** Whenever the land so taken possession of, enclosed, filled in and reclaimed shall lie along property not belonging to such district, and by the taking possession of, enclosing and filling in such submerged land, such property shall be shut off from its access to such body of water and shall be injuriously affected thereby, such district shall pay all damages arising to such property therefrom, and in case the same can not be agreed upon, they shall be ascertained in the manner hereinbefore provided for the acquiring of property for such district by condemnation proceedings.

§18. **When District Located Along Navigable Body of Water—Control and Police.** Whenever any district organized under this act is located along any such navigable body of water as aforesaid, the right is hereby given to the corporate authorities thereof to take charge of, control and police such body of water and the land thereunder for a distance of three hundred feet along any park, boulevard or pleasure drive constructed by it and bordering thereon.

§19. **Not to Interfere with Navigation, Etc.** Nothing in this act shall be construed as granting to any district, the right to interfere with

the navigation of any navigable body of water or to shut off the access to any public dock or landing thereon, or to shut off the access of public highways or streets to such body of water at reasonable intervals in each municipality bordering thereon in said district.

§20. **To Levy and Collect a General Tax.** Any district created under this act is hereby empowered to levy and collect a general tax on the property in the park district for necessary expenses of said district and for the construction and maintenance of the parks, boulevards and other improvements hereby authorized to be made.

§21. **How Board to Determine the Amount to Be Levied, Etc.** When said district shall be located in two counties the board of commissioners shall determine and certify the amount to be levied upon the taxable property lying in each county, and return the same to the respective county clerk of the county in which the same is to be levied: **Provided,** that in order to determine the amount to be levied upon the taxable property of that part of the district lying in each county, the board shall ascertain from the county clerks of the respective counties in which each district lies, the last ascertained equalized value of the taxable property of such district lying in their respective counties, and then shall ascertain the rate per cent required and shall apportion the whole amount to be raised between the several parts of the district so lying in the different counties accordingly.

§22. **Amount of Taxes to Be Levied.** All such general taxes when collected shall be paid over to the treasurer of the board of

commissioners, who is authorized to receive and receipt for the same, and all taxes authorized to be levied by the corporate authorities of any park district created under this act on the taxable property in said district, shall be levied at the same time and in the same manner, as nearly as practicable, as taxes are now levied for city and village purposes under the laws of this State: **Provided,** The aggregate amount of taxes levied for any one year exclusive of the amount levied for the payment of bonded indebtedness or interest thereon shall not exceed the rate of four (4) mills on each dollar of taxable property in said district on the aggregate valuation as equalized for State and county taxes for the preceding year.

§23. **When Special Assessment Deemed Desirable.** When any improvement to be made by said board is local in character and confined within the limits of said park district, and the said board shall deem it advisable that the same should be made by special assessment, it shall have power to proceed under and according to the provisions of "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, and all amendments thereto so far as the same may apply. The same provisions shall apply to the collection of the assessments by installments and for the issuing of bonds and vouchers therefor as are provided in cases of special assessments of cities and villages in Article 9 aforesaid and the amendments thereto, and also an Act of the General Assembly entitled, "An Act to authorize the division of special assessments in cities, towns and villages into installments, and authorizing the issuing of bonds

to anticipate the collection of deferred installments," approved June 17, 1893, in force July 1, 1893. (As amended by Act approved June 24, 1915, in force July 1, 1915.)

§24. **Board of Local Improvements.** The park engineer, who shall be also ex-officio superintendent of special assessments, the chairman of the finance committee and the president of the said board of trustees shall constitute the board of local improvements for such park district, who shall act as such board of local improvements without compensation, and the secretary of the said board of trustees shall be ex-officio secretary of said board of local improvements. (As amended by Act approved June 24, 1915, in force July 1, 1915.)

§25. **Levying and Collecting Assessments.** The mode of making such special assessments and the filing of the assessment roll and proceedings thereon shall be the same as provided by law for making special assessments for local improvements in cities of over fifty thousand inhabitants. (As amended by Act approved June 24, 1915, in force July 1, 1915.)

§26. **Duties of Secretary and Treasurer.** The secretary of the said board of trustees and the treasurer of such park district shall perform the duties in regard to the collection of said assessment provided in said Article 9 to be performed by the city clerk and city collector respectively. (As amended by Act approved June 24, 1915, in force July 1, 1915.)

§27. **What Provisions Shall Apply to the Collection, Etc.** The same provisions shall apply to the collection of the assessments, by installments and for the issuing of bonds and vouchers therefor as are provided in the cases

of special assessments of cities and villages in article 9 aforesaid and the amendments thereto, and also an act of the General Assembly entitled "An Act to authorize the division of special assessments in cities, towns and villages into installments, and authorizing the issue of bonds to anticipate the collection of the deferred installments," approved June 17, 1893, and in force July 1, 1893.

§28. **Moneys—How Expended, Etc.** All moneys collected by virtue of such special assessment shall be paid over to the treasurer of the district in which the same is levied, and shall be expended only for the improvement aforesaid, in the portion of the district situated in the township in which the same shall be levied.

§29. **The Word "Improvement."** The word "improvement" as used herein shall include the condemnation of property for park and boulevard purposes.

§30. **Quorum.** A majority of the township corporate authorities aforesaid shall constitute a quorum at any meeting for the transaction of any business relating to such special assessment.

§31. **For the Payment of Land Condemned, Etc.** For the payment of land condemned or purchased for parks or boulevards, for the building, maintaining, improving and protecting of the same and for the payment of the expenses incident thereto, said district is authorized to issue the bonds of such park district and may pledge its property and credit therefor to an amount including existing indebtedness of such park district so that the aggregate indebtedness of such park district

shall not exceed three (3) per centum of the value of the taxable property therein, to be ascertained by the last assessment for State and county taxes previous to the issue from time to time of such bonds.

§32. **Issue of Bonds.** The issue of bonds by said commissioners shall be authorized by them only at a regularly convened meeting of the board by ordinance duly enacted and of record in the record of proceedings of such board, and a copy of the same properly certified by the secretary shall be filed in the office of the clerk of the county wherein such park district lies.

§33. **How and When Bonds to be Issued—Time to Run.** Such bonds shall be issued when authorized as aforesaid in the name of the park district, to be signed by the president and treasurer and countersigned by the secretary, with his seal of office affixed; they shall bear interest at not exceeding five per cent per annum payable semi-annually, and the principal shall be payable at such time and place as may be determined by the board of commissioners, not exceeding twenty years. The commissioners of such park district may sell said bonds at not less than par, and the proceeds thereof shall be used exclusively for the purpose in this act authorized.

§34. **Provision for Payment of Bonds, Etc.** For the purpose of providing for the payment of the interest on such bonds as it falls due, and also a sum sufficient to pay and discharge the principal thereof at maturity, said park district and its corporate authorities are hereby authorized, required and directed to appropriate and levy (in addition to other taxes

authorized by this act to be by them levied) an annual tax upon the taxable property in said district sufficient to provide for the said principal and interest therein mentioned.

§35. **Public Streets—May Be Taken Charge of as a Pleasure Drive or Boulevard—When.** Any public street, road or highway or portion thereof situated within the limits of any park district organized under this act may be taken charge of by said district and improved and maintained by it as a pleasure drive or boulevard; **Provided,** That the consent of the corporate authorities having control of such street, highway or portion thereof shall be first obtained, and also the consent in writing of the owners of the majority of the frontage of the lots and lands abutting on the same. If such street, road, highway or portion thereof shall have already been set apart as a pleasure driveway or boulevard, then such consent of said owners shall not be required to set the same over to the park district. When such street, road or highway is under the charge of the highway commissioners of any township, they shall be held to be the corporate authorities having control of the same whose consent shall be obtained as aforesaid.

§36. **When Parks in Cities May Be Placed Under Control of Commissioner.** Any parks or boulevards in any municipality within the limits of any park district created under this act may, with the consent of such municipality, on the organization of said district, be turned over to and placed under the control of the commissioners thereof. In any park district created under this act, any and all lands fronting on a lake, now belonging to or

under the control of any city, town or village in said park district, with the riparian rights attaching thereto, shall be and are hereby appropriated for such park, or parks, or boulevards, as are authorized to be made and established by this act, with the consent of the corporate authorities of such municipality.

§37. **Water and Sewer Pipe.** To all municipalities lying within the limits of any park district created under this act, is hereby expressly reserved the right to lay and repair water and sewer pipe under the surface of any boulevard or park therein in the same manner and to the same extent it could have been done before the organization of such park district.

§38. **How Property May Be Annexed—Election, Etc.** Territory adjoining and in the same county with any park district organized under this Act may be annexed to and become a part of such district in the manner following: Any one hundred legal voters, residents within the territory proposed to be annexed, may petition the county judge of the county wherein land proposed to be annexed lies, to cause the question to be submitted to the legal voters of such park district and of the territory proposed to be annexed, whether such territory shall be annexed and become a part of the adjoining park district, and the petition shall set forth the name of the park district and define the limits of the territory proposed to be annexed thereto: **Provided, however,** if the legal voters, residents within the territory proposed to be annexed are fewer than one hundred (100) in number, a majority of such legal voters, together with a majority

of the owners of lands within the territory proposed to be annexed, who shall have arrived at lawful age, and who represent a major portion in area of the land within such territory, may petition in like manner as above provided. Upon the filing of the petition in the office of the county clerk of the county in which such territory is situated, it shall be the duty of the county judge of said county to order an election to be held in the territory proposed to be annexed, and also in said park district, and in such order said judge shall fix the time and place or places when and where such special election may be held, to determine the question of annexation, and shall name the persons to act as judges of such election, and shall give at least twenty days' notice thereof by causing notice to be posted in five public places within the territory proposed to be annexed, and also in five public places within such park district. The ballot to be used at such election shall be in the following form:

"For annexation."

"Against annexation."

The judges at such election shall make return thereof to the county judge, who shall canvass such returns and cause a statement of the result of such election to be entered upon the records of the county court, a certified copy of which record shall be (by) said commissioners spread upon the records of said park district. If a majority of the votes cast upon that question at such election in the territory proposed to be annexed shall be for annexation; and also if a majority of the votes cast upon that question in the park district

shall (be) for annexation, then said adjoining territory shall thenceforth become and be a part of such district, the same as though originally included therein. (As amended by Act approved June 9, 1909, in force July 1, 1909.)

§39. **Levying and Collecting Special Assessment.** Any park district now or hereafter organized under the provisions of an act entitled "An act to provide for the creation of pleasure driveway and park districts," approved June 19, 1893, and in force July 1, 1893, may levy and collect special assessments in the manner provided for in this act.

§40. **Proceedings for Dissolution of Park Districts—City Council to Act as Commissioners to Close Up Business.** Any park district heretofore or hereafter organized under the provisions of this Act may be dissolved and discontinued upon like petition, proceedings and election as is provided in this Act for the organization of such park districts; and upon such dissolution all commissioners and officers of such park district, whether the term or terms for which they have been elected or appointed, as the case may be, shall have expired or not, shall cease to have any power or authority, and all parks theretofore established by such park district and all other lands owned or controlled by such park district, shall vest in and shall be controlled by the city, town or village wherein such parks and other lands are located, and for the purpose of closing up the business affairs of such park district, the members of the city council, board of trustees or town board, as the case may be, of the city, village, or town wherein all, or the greater part of such park district is located, are hereby

constituted the park commissioners of such park district and they shall act without compensation. They shall proceed to close up the business affairs of such park district and shall have all the powers of the former park commissioners, before said dissolution, that shall be necessary therefor, and shall have power to levy taxes for the purpose of paying outstanding debts, obligations or liabilities, and the necessary expenses of closing up the business of such park district. (As amended by Act approved June 24, 1915, in force July 1, 1915.)

VIOLATIONS OF PARK ORDINANCES—PUNISHMENT.

AN ACT TO PROVIDE FOR THE PUNISHMENT OF PERSONS VIOLATING ANY OF THE ORDINANCES OF THE SEVERAL BOARDS OF PUBLIC PARK COMMISSIONERS IN THIS STATE.

§1. Be It Enacted by the People of the State of Illinois, Represented in the General Assembly: That in all actions for the violation of any ordinance of any board of public park commissioners, organized under any general or special law of this State, the first process shall be a summons: *Provided, however,* that a warrant for the arrest of the offender may issue in the first instance upon the affidavit of any person that any such ordinance has been violated, and that the person making the complaint has reasonable grounds to believe the

party charged is guilty thereof; and any person arrested upon such warrant shall, without unnecessary delay, be taken before the proper judicial officer in the county within which is situated the park system under the control of any such board of public park commissioners, to be tried for the alleged offense. Any person upon whom any fine or penalty shall be imposed may, upon the order of the court or magistrate before whom the conviction is had, be committed to the county jail or the city prison, house of correction, or other place in said county, provided by such public park commissioners, or as may be designated by them, for the incarceration of such offenders until such fine, penalty and costs shall be fully paid: *Provided, however,* that no such imprisonment shall exceed six months for any one offense. Every person so committed shall be required to work at such labor as his or her strength will permit, within and without such prison, house of correction or other place provided for the incarceration of such offenders, as aforesaid, not to exceed ten hours each working day; and for such work the person so employed or worked shall be allowed, exclusive of his or her board, the sum of fifty cents for each day's work, on account of such fine and costs.

§2. *Whereas,* An emergency exists, this Act shall be in force from and after its passage.

Approved and in force December 24, 1907.

VIOLATION OF ORDINANCES—HOUSES OF CORRECTION.

AN ACT TO AUTHORIZE THE CONFINEMENT IN HOUSES OF CORRECTION OF PERSONS CONVICTED OF THE VIOLATION OF ORDINANCES OF PUBLIC PARK COMMISSIONERS.

§1. BE IT ENACTED BY THE PEOPLE OF THE STATE OF ILLINOIS, REPRESENTED IN THE GENERAL ASSEMBLY: That every board of public park commissioners in this State shall have full power and authority to enter into an agreement with the legislative authorities of any city, town or village in the county in which the park system under the control of such board of public park commissioners may be situated, or with any authorized officer thereof in behalf of such city, town or village which now has or which may hereafter have a house of correction, to receive and keep in said house of correction any person or persons who may be sentenced or committed thereto by any court in such county for the violation of any ordinance of said board of public park commissioners, or failure to pay the fine imposed for such violation.

§2. After such agreement shall have been entered into it shall be the duty of the court finding any person guilty of the violation of any ordinance of any such board of public park commissioners punishable by imprisonment to sentence the person so found guilty to such house of correction, and for the violation of any ordinance of such board of public park

commissioners punishable by fine, it shall be the duty of the court to commit any person who shall not forthwith pay any fine so imposed by the said court, to the said house of correction, there to be received and kept for the time and in the manner prescribed by law, and subject to the discipline of said house of correction, and it shall be the further duty of said court by warrant of commitment duly issued to cause such person so sentenced or committed to be forthwith conveyed by some proper officer to said house of correction.

§3. It shall be the duty of the officer to whom such warrant of commitment is delivered to convey such person so sentenced or committed to the said house of correction, and there deliver such person to the keeper or other proper officer of said house of correction, whose duty it shall be to receive such person so sentenced or committed and to safely keep and employ such person for the term mentioned in the warrant of commitment, according to the laws of said house of correction; and the officer thus conveying and so delivering the person so sentenced or committed shall be allowed such fees, as compensation therefor, as are or shall be prescribed or allowed by law.

§4. *Whereas,* In some of the park systems in this State there is no authority for the making of the contract hereinbefore authorized, therefore an emergency is declared to exist, and this Act shall be in force from and after its passage.

Approved and in force May 25, 1907.

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